

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Van Gompel, et al.

Serial No.: 10/624,333

Filing Date: July 22, 2003

For: DISPOSABLE UNDERGARMENT
HAVING A SLIT AND METHOD
FOR THE MANUFACTURE
THEREOF

Examiner: Gibson, Keshia L.

Group Art Unit No.: 3761

DECLARATION OF ANDREW D. STOVER

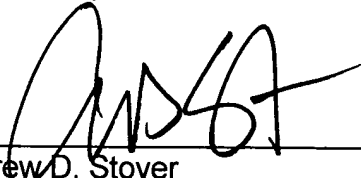
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. I, Andrew D. Stover, am a patent attorney registered to practice in front of the United States Patent and Trademark Office (Registration No. 38,629).
2. I worked with the inventors to prepare and file the above-identified patent application.
3. Prior to June 26, 2003, and continuing on through to the filing date of the application on July 22, 2003, I diligently worked on this application.
4. Some time after July 7 and 8, 2006, which is the execution date of the signed Declaration (Tab 1), the inventors forwarded to me the signed Declaration. Shortly thereafter, I prepared the transmittal document and assignment recordal document and filed the application and associated papers on July 22, 2003.

5. All statements made of my/our own knowledge are true, and all statements made on information and belief are believed to be true. I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of this application and any patent issuing therefrom.

Respectfully submitted,



Andrew D. Stover
Registration No. 38,629

11/14/06

Date



PATENT
Case No. 659-1095
Client Case No. 18,945

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DECLARATION UNDER 37 CFR § 1.131

We, Paul T. Van Gompel, Russell E. Thorson and Yung H. Huang, hereby declare that:

1. We are the named inventors in the above-referenced patent application.
2. As evidenced by the attached documents (Tab 1), we conceived of an embodiment of the invention claimed in the above-referenced application prior to June 26, 2003, which is the publication date of U.S. Publication No. US 2003/0115660 A1 (corresponding to App. No. 10/036,664 filed December 21, 2001). The attached documents are true and correct copies of the original documents with the exception of the redaction of various dates that appear on the originals, and also the redaction of other information not relevant to the present inquiry.
3. As evidenced by the attached Invention Disclosure (Tab 1), which was signed by us prior to June 26, 2003, we conceived of a disposable undergarment

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Case No. 659-1095

having a front and rear body panel, with a crotch member connected to the front and rear body panels (see Tab 1 at pages 1, 3, 5 and 6 (see FIGS. 2 and 3)). Each of the front and rear body panels has laterally spaced side edges, a waist edge and a crotch edge (*id.*). The crotch edges of the front and rear body panels are spaced from each other, and each crotch edge comprises at least one longitudinally extending slit (*id.*). The crotch member covers the slits (*id.*).

4. From the June 26, 2003 publication date of U.S. Publication No. US 2003/0115660 A1 to the July 22, 2003 filing date of the present application, we were diligent in constructively reducing the invention to practice. In particular, on June 13, 2006, Andrew D. Stover, the attorney charged with the preparation of the application, mailed a final draft of the application to Jennifer Marvin, who coordinated our final review of the application (Tab 2). Upon receipt of the application, Ms. Marvin distributed the application to us for review. We completed our review of the application by July 7 and 8, 2006, as evidenced by the signed Declaration (Tab 3). The signed Declaration was then forwarded to Mr. Stover. As set forth in the attached Affidavit from Mr. Stover, he proceeded to file the application shortly after receipt on July 22, 2006. Taking into account the respective mailing time, the internal distribution and collection times, the time for our review and the final preparation of the filing papers by Mr. Stover, we were diligent in constructively reducing the invention to practice from June 26, 2003 to July 22, 2003.


5. All statements made of my/our own knowledge are true, and all statements made on information and belief are believed to be true. I am aware that willful false statements and the like are punishable by fine or imprisonment, or both

Case No. 659-1095

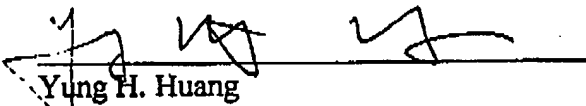
(18 U.S.C. 1001) and may jeopardize the validity of this application and any patent
issuing therefrom.


Paul T. Van Gompel

Dated: November 9, 2006


Russell E. Thorson

Dated: November 10, 2006


Yung H. Huang

Dated: November 10, 2006